



The Az POST **Newsletter**

Arizona Peace Officer Standards and Training Board

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AZ POST In-service training **Debriefings provide training opportunity**

The role of the supervisor as a trainer is foundational for law enforcement; however it is one of those things that tend to be "put off" because of other, more immediate demands. There is one opportunity for timely, impactful training that is often overlooked - incident debriefing.

It is common for tactical teams to routinely conduct structured incident debriefings following their deployments. In addition it is common that after significant incidents such as pursuits, or officer-involved shooting, structured debriefings are held. The purpose of these debriefings is to identify problems, resolve issues, and hopefully create better plans for future actions.

The regular use of a structured debriefing process to discuss normal patrol activities can significantly improve the

efficiency and effectiveness of uniform officers in their handling of calls for service. Clearly special emphasis should be placed on the handling of in-progress crimes or use-of-force incidents, but any call for service which requires multiple officers to respond is a strong candidate for a debriefing.

Sergeant Frank Rau from the Tucson Police Department is one of the very best at doing this and the effectiveness of the officers in his squad always reflected his efforts. At the first available opportunity, usually at the next day's briefing, Frank facilitates a discussion about a significant call from the night before; an armed robbery, a silent alarm, a loud party or some call with multiple officers.

First, he has all of the officers involved

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Meet your Arizona **POST Board**



Tamatha Villar

Two of the most important members of the Arizona POST board are the peer members appointed to ensure that rank and file officers are appropriately represented. Governor Jane Hull appointed Detective

Tamatha Villar to

one of these critical positions on August 27, 2000, and she was re-appointed by Governor Napolitano on August 27, 2003.

Detective Villar is a member of the Pinal County Sheriffs Office, where she is currently assigned to the Persons Crime Unit. She began her law enforcement career in 1997 as a patrol officer with the City of Eloy Police Department, moving to the Sheriff's office in 2000.

During the past six years Tamatha has held assignments as a patrol officer, school resource officer, public information officer, D.A.R.E. instructor, neighborhood watch coordinator, and rescue and recovery dive team member (whew). She has also been active as an instructor at the Central Arizona Law Enforcement Training Academy (CARLOTA) where, among other things, she is a Physical Training instructor.

Detective Villar is intensely dedicated to her education, and holds a BA in Criminal Justice from Northern Arizona University. She is currently working on her Master of Education Degree from the same institution (go Lumberjacks!), and intends to pursue her Ph.D. after she graduates in May of 2004.

Tamatha's husband, Alfonso, is also a Pinal County Sheriff's Detective, and their two children, Adrian, 2, and Miranda, 5, are the joys of their life. When she's not busy working, caring for her family or going to school, Detective Villar enjoys reading, swimming, and skiing.

Inadmissible evidence testimony thorny

You are the arresting officer and you are about to testify in the case. You take the stand. You raise your right hand and you swear to tell the truth, the whole truth and nothing but the truth, so help you God. Several minutes into your testimony, after you have detailed the incriminating statements the defendant made to you, the prosecutor asks, "Did he say anything else?" The prosecutor and the defense attorney both know that the only thing he said was, "I want a lawyer." You know that if you answer the question truthfully you will be commenting that he invoked his Fifth Amendment right not to incriminate himself. You know this is improper.

Both the lawyers and you know that the question was intended to be a verbal ending point to the statement testimony and wasn't asked literally. You have previously been instructed to just say "no," when this situation comes up. It is com-

mon and everyone expects this answer in a "no harm, no foul" kind of way.

You look to the prosecutor. She is waiting for your "no," so she can rest. You look to the defense attorney. He is waiting for you to say "no," so he can dig into his cross examination. You look to the judge. She has a severe look but doesn't seem to understand your reluctance to speak. What should you do? Everyone, except the jury, understands that the question is not being asked literally. Is "no" the right answer?

No, "no" is not the right answer. The truth, as the officer understands it, is the right answer and the only right answer. It is professional misconduct for an officer to give testimony the officer knows to be false, no matter what the intent behind the false testimony may be. Knowingly making a false statement during a civil,

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A message from Executive Director Tom Hammarstrom

"The Economics of Integrity"

Recently, while preparing a presentation on the topic of peace officer honesty, I had cause to think long and hard about why this issue is so important to law enforcement professionals. I concluded that, among other important reasons, there is a self serving, economic explanation for our insistence that peace officers serve with integrity and honor.

Like the vast majority of you, I entered law enforcement in part because I was attracted to the idea of serving with honor, in a principled organization, as a part of a noble profession. I had other motivations to be sure (such as earning a living), but the prospect of honorable service was attractive and important. It was, and continues to be a part of my compensation package. It follows that when one of us fails to serve with honor and integrity there is a substantial cost.

Think back on your career and recall what it was like when some major or minor scandal infected your department. Or what it felt like to answer a friend's question about the Rodney King beating, the Ramparts investigation, or the Abner Louima brutality case. My recollection is that it didn't feel very good.

I hope that I am not beginning to sound pretentious, but for me the bottom line is that without honor, this job sucks! With it, law enforcement is the most rewarding career I can imagine. We are all responsible for maintaining the integrity of our profession. If we fail, not only do we forfeit the public trust, we take a pay cut we cannot afford and should not accept.

Background investigators must probe "honorable" discharges

Arizona POST Rule 13-4-106 requires background investigators to obtain and review a DD Form 214 documenting an applicant's character of discharge when investigating an applicant who has served in the U.S. Armed Forces. When the DD Form 214 reflects an "Honorable" discharge, the investigator often assumes that the applicant did nothing while serving that would warrant further review. Unfortunately, this is not always the case.

An "Honorable" discharge is defined as the "classification given to members whose service has generally met the standards of acceptable conduct, and whose service is so meritorious that any other characterization would be clearly inappropriate." To understand exactly what this definition means, it must first be compared to the next level of discharge. A "General" discharge is defined as the "classification given when significant negative aspects of the member's conduct outweigh the positive aspects of the member's record."

Simply put, an applicant could have received a Honorable discharge for simply performing within standards for as little as 51% of their service time; subsequently, the applicant may have performed below standards as much as 49% of their service time. They might even have been convicted of crimes that may disqualify them under POST rules, or departmental policy. It is recommended that background investigators routinely submit requests for records of "judicial and/or non-judicial punishment" using a Standard Form 180, and make requests for criminal records from the appropriate branch of service.

The SF Form 180 can be obtained from the website for the U.S. National Archives & Records Administration:

www.archives.gov/facilities/mo/st_louis/military_personnel_records.html

Military criminal records can be obtained by making a written request to one or more of the following agencies:

U.S. Air Force: AFOSI/SCR, 500 Duncan Avenue, Bolling AFB, Washington DC 20332-6000.

U.S. Navy/Marine Corps: NCIS HQ/FOIA, Washington Naval Yard, Building 111, 901 M Street SE, Washington DC 20388.

U.S. Army: USA/CRC, 6010 Sixth Street, Ft. Belvoir, VA 22060-5585.

If you have any questions regarding military discharges, feel free to call POST Compliance Specialist Steve Jacobs at (602) 223-2514 Ext. 266. He will be happy to help.

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Chief Harold Hurtt
Chief Joe Vernier
Chief Jerry Sheridan
Deputy Tamatha Villar

Meet an Arizona POST staff member

It has been almost three years since Lois Sherlock took the administrative helm of POST from Lillian "Mom" Peabody, and in that time she has placed her own distinctive stamp on the job. Lois is responsible for a number of POST activities including the supervision of POST clerical staff, and administration of the Board's personnel matters.

Her most important duties relate to management of the Board's regular meetings. Lois prepares the meeting agenda, schedules necessary resources, ensures that the Board members are notified and provided with agenda material, and finally, she prepares detailed minutes of each meeting.

Lois was born at Ft. Lewis, Washington, where her father served in the U.S. Army. She did her first overseas tour between 1951 and 1953 when the family followed her dad to Okinawa. Lois says she doesn't remember much from the experience except for the "big flying bugs!"

After returning to the U.S. her family settled in California. After graduating from

high school there, Lois landed her first job as a Clerk Stenographer at Edwards Air Force Base (the staff at Edwards nicknamed her "Straight Arrow" -- she still is!). In 1971

Lois married Bob Sherlock, and in 1974 she and Bob moved to Phoenix where she continued her government career at Luke Air Force Base. She and Bob have three beautiful daughters.

Lois started her DPS career in 1983 as a Secretary. She left in 1985 to give birth to her third child, and continued as a stay at home mom until 1999, when she returned to the DPS. In her spare time, Lois enjoys reading, cooking and exercising.



Lois Sherlock

Debriefings ...

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describe what they did, what they saw, and what they heard. Certainly, the use of visual aids such as a dry erase board is very helpful in some situations. Next he facilitates a discussion giving each officer the opportunity to suggest ways of handling future situations more effectively. This opportunity to participate in the development of improvement ideas enhances the buy-in for all officers.

The key part in Sgt. Rau's debriefing process is the development of specific small-team tactics for each type of call. Following the first two stages, he carefully describes his expectations for each officer the next time a similar call occurs. For example, an armed robbery at the convenience market would result in three or four of his officers going to specific locations, specific distances away from the scene (dictated by the time element), and each officer being aware of specific things to watch for. These types of coordinated efforts have resulted in many arrests for his officers.

The other thing this type of team building results in is an environment in which officers are willing to work together and learn together to make each other better. It creates a willingness to share information and observations about tactics and officer safety issues which someday may save someone's life.

The structured debriefing of regular patrol activities may not be as glamorous as debriefing a hostage situation, but it does provide a handy opportunity to train officers in the development of plans of actions, on applicable department policies and procedures and helps sharpen their decision making abilities.

AZ POST wins award

On October 16, 2003, Arizona POST was honored by the Institute for Law Enforcement Administration (ILEA) during its' 12th annual Ethics Conference, in Plano, Texas. Dr. Gary Sykes, ILEA Director, presented the Board with ILEAs' Ethics Achievement Award. The Award was presented in recognition of the Board's "forward-looking emphasis on character and ethics as integral to the law enforcement profession," as well as the important contribution made through the POST Integrity Bulletin, not only to Arizona peace officers, but to officers nationwide who have access to the Bulletin online.

Executive Director Hammarstrom, who was invited to present the conference keynote speech, accepted the award on behalf of the Board.

Testimony ...

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criminal or administrative proceeding is a POST rules violation and is cause for POST to revoke the officer's certification.

It is misconduct for a prosecutor to encourage a witness to make a false statement. It is improper for a judge to knowingly allow false testimony. Even so, every officer is responsible for her own conduct. It is no excuse, justification or defense to giving false testimony that the attorneys or judge directed the officer to give it.

This dilemma arises most frequently in situations involving confidential informants and cases where evidence has been suppressed. The witness will be instructed not to mention the informant and not to mention the suppressed evidence. If you find yourself in a situation involving inadmissible evidence, POST recommends the following courses of action:

1. Address the issue ahead of time with the prosecutor, making sure that he understands the questions dictate your response, so he had better formulate the questions so they don't call for forbidden evidence.

2. Before a hearing or trial, also discuss the proper approach if the defense attorney should invite the error by asking a question that calls for the excluded evidence.

3. During the hearing or trial, ask the judge for a brief break to address the problem, perhaps allowing a bench conference.

4. If your attempts to avoid the problem

fail, answer the question truthfully and let the chips fall where they may. It may cause a mistrial; it may make the lawyers mad; it may cost the department overtime, but you will have maintained your integrity, upheld your professional responsibility and honored the oath to tell the truth. You will also have helped to restore public confidence in the law enforcement profession. If cops can be trusted to tell the truth when there are negative consequences, they can be trusted to tell the truth in all of their testimony.

Terrorism class update

The Arizona Regional Community Policing Institute's popular "Terrorism Training for Law Enforcement" class will continue to be offered throughout 2004.

The free eight hour training is designed to provide patrol officers and deputies with the necessary information to prevent and detect terrorism.

The class is offered statewide. For more information, contact your area coordinator. There will be NO REIMBURSEMENT for travel expenses for participants.

Flagstaff - Mike Pratt 928-679-4092; Lake Havasu - Richie Sloma 928-680-5420; Kingman - Lyman Watson - 928-753-2191; Prescott - Ron Lowman - 928-772-9261; Sierra Vista - Brian Reynolds 520-452-7500; White Mountain Area - Tim Graver - 928-532-6060; Yuma - Mike Erfert - 928-373-48630; Tucson - Linda Ridgeway - 520-791-5211 x1113; Phoenix Metro - Paul Reeves - 602-351-2320 x120.

Arizona Peace Officer Standards & Training Board

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2004 Telecourse Schedule

Date	Time (MST)	Program Title	Satellite Coordinates
February 26 2004	10:00 AM - Noon 3:00 PM - 5:00 PM	Anti-terrorism Part I (AZ POST)	TBA
March 25 2004	10:00 AM - Noon 3:00 PM - 5:00 PM	Anti-Terrorism Part II (AZ POST)	TBA
May 27 2004	10:00 AM - Noon 3:00 PM - 5:00 PM	Warrant Service & Building Entry Tactics (AZ & Cal POST)	TBA
July 22 2004	10:00 AM - Noon 3:00 PM - 5:00 PM	TBA	TBA
September 23 2004	TBA	TBA	TBA
November 18 2004	TBA	TBA	TBA

NOTE: Satellite coordinates are not confirmed until 30 days prior to broadcast and if not provided here, they will be provided on the individual flyers for each program. Due to difficulty in obtaining satellite time, WE MAY BE USING SATELLITES WE HAVE NEVER USED BEFORE. PLEASE MAKE SURE YOU CONFIRM THE COORDINATES ARE PROGRAMMED INTO YOUR RECEIVER PRIOR TO THE DAY OF BROADCAST. Coordinates are also provided with the program materials that are mailed the week prior to the broadcast.

For agencies experiencing difficulties with their satellite systems or in need of additional operating instructions, troubleshooting information is available online at various satellite user websites, including www.satellite911.com or www.21st-satellite.com.